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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 ROBERT HALL,)
8)
Plaintiff,)
9) No.
vs.)
10)
FIRST NATIONAL COLLECTION)
11 BUREAU, INC.,)
12 Defendant.)

JURY DEMANDED

13 COMPLAINT

14 1. The jurisdiction of this Court is conferred by 15 U.S.C.
15 § 1681p. Venue lies in the Southern Division of the Judicial
16 District of Nevada as Plaintiff's claims arose from acts of the
17 Defendant perpetrated therein.
18

19 PRELIMINARY STATEMENT

20 2. The Plaintiff brings this action for damages based upon
21 Defendant's violations of the Fair Credit Reporting Act, 15 U.S.C
22 Section 1681 et seq. (hereinafter referred as the "FCRA").
23 Plaintiff seeks actual damages, punitive damages, costs and
24 attorney's fees.
25

26 3. Plaintiff is a natural person and is a resident and a
27 citizen of the State of Nevada and of the United States. Plaintiff
28 is a "consumer" as defined by § 1681a(c) of the FCRA.

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1 4. The Defendant, First National Collection Bureau, Inc.,
2 (hereinafter referred to as either Defendant or "User") is a
3 domestic corporation with its principal place of business in Reno,
4 Nevada.

5
6 CAUSE OF ACTION

7 Statement of Facts

8 5. Plaintiff has never had any relationship with the
9 Defendant.

10 6. On September 4, 2010, Plaintiff received a credit report
11 from Trans Union (Exhibit 1).

12 7. Exhibit 1 reflects that User accessed Plaintiff's credit
13 profile during August, 2010.

14 8. The referenced inquiry has become a permanent component
15 of the Plaintiff's credit profile.

16 9. Upon best information and belief, User agreed and
17 represented in its agreements with the various credit reporting
18 agencies that User would request and use consumer reports which
19 were obtained from said agencies only for purposes which are lawful
20 under the FCRA as defined under § 1681b.

21 10. User was required pursuant to FCRA §§ 1681b(f), 1681n and
22 1681o to refrain from obtaining consumer reports from credit
23 reporting agencies under false pretenses.

24 11. At no time material hereto did Plaintiff ever have a
25 relationship of any kind with User as defined under FCRA
26 § 1681b(a)(3)(A)-(F).

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12. User has never been ordered by a court of competent jurisdiction to issue a consumer report pursuant to FCRA § 1681b(a)(1).

13. Plaintiff has never given written instructions to User to obtain and/or release to a third party a consumer report of which Plaintiff was the subject pursuant to FCRA § 1681b(a)(2).

14. User had an affirmative duty to follow reasonable procedures, including those that would prevent the impermissible accessing of consumer reports.

15. Reasonable procedures for users include restricting the ability of its agents to obtain consumer reports on consumers for any impermissible purpose.

16. Upon best information and belief, User's illegal and surreptitious acquisition of Plaintiff's credit reports derived from an interest and priority well beyond the scope of the FCRA.

17. User has, upon best information and belief, compromised its relationship with the various credit reporting agencies in falsifying the basis upon which Plaintiff's report was obtained.

18. User has compromised Plaintiff's access to credit in imparting to past, present and future credit grantors that Plaintiff has applied for credit in tandem with a relationship with User.

Statement of Claim

19. Defendant/User willfully and/or negligently violated the provisions of the FCRA in the following respects:

- a. User has falsely, purposely, surreptitiously and maliciously obtained the Plaintiff's credit reports in violation of FCRA § 1681b(f).


1 b. User has falsely, purposely, surreptitiously and
2 maliciously obtained the Plaintiff's credit reports
3 in violation of FCRA § 1681n.

4 c. User has obtained the Plaintiff's credit reports in
5 violation of FCRA § 1681o.

6 PRAYER FOR RELIEF

7 THEREFORE, Plaintiff prays that the court grant:

- 8 a) actual damages;
9 b) punitive damages;
10 c) attorney's fees; and
11 e) costs.

12 Respectfully submitted,


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Consumer Credit Report for ROBERT E. HALL JR.

File Number: 226727908
 Page: 10 of 10
 Date Issued: 09/04/2010

THE TRAVELERS COMPANIES Requested On: 09/2009
 1 TOWER SQ
 18CP
 HARTFORD, CT 06183-0001
 (866) 240-2682

Account Review Inquiries

The companies listed below obtained information from your consumer report for the purpose of an account review or other business transaction with you. The inquiries are not displayed to anyone but you and will not affect any creditor's decision or any credit score (except insurance companies may have access to insurance company inquiries and users of a report for employment purposes may have access to other employment inquiries, where permitted by law).

FACTACT FREE DISCLOSURE

P O BOX 1000
 CHESTER, PA 19022
 (800) 888-4213
 Requested On: 09/2010

US BANK

PO BOX 108
 SAINT LOUIS, MO 63166
 Phone number not available
 Requested On: 06/2010

AMERICAN FAMILY INS. VIA AMERICAN FAMILY

5802 MITCHELL AVE
 ST JOSEPH, MO 64507
 Phone number not available
 Requested On: 03/2010
 Permissible Purpose: INSURANCE UNDERWRITING

AMERICAN FAMILY INS. VIA AMERICAN FAMILY INSURANC

6000 AMERICAN PARK
 MADISON, WI 53783
 (608) 242-4100 x3228
 Requested On: 07/2009
 Permissible Purpose: INSURANCE UNDERWRITING

FIRST NATIONAL COLLECTIO

610 WALTHAM WAY
 MCCARRAN, NV 89434
 (775) 322-0444
 Requested On: 08/2010

AMERICAN FAMILY INS. VIA AM FAM INS - NEW

4802 MITCHELL AVEN
 ST. JOSEPH, MO 64507
 Phone number not available
 Requested On: 03/2010
 Permissible Purpose: INSURANCE UNDERWRITING

WELLS FARGO FINANCIAL BR

206 8TH ST
 DES MOINES, IA 50309-3805
 (800) 346-3009
 Requested On: 10/2009

WSI-LAS VEGAS VIA WACKENHUT NRO

4200 WACKENHUT DR
 PALM BEACH GAR, FL 33410
 (800) 593-6878
 Requested On: 06/2009
 Permissible Purpose: EMPLOYMENT

Should you wish to initiate an investigation, you may do so,

At our web site:
<http://transunion.com/disputeonline>

By Mail:
 TransUnion Consumer Relations
 P.O. Box 2000
 Chester, PA 19022-2000

By Phone:
 1-800-916-8800
 You may contact us between the hours of 8:00 a.m. and 11:00 p.m. Eastern Time, Monday through Friday, except major holidays.

For all correspondence, please have your TransUnion file number available (located at the top of this report).

To dispute online go to: <http://transunion.com/disputeonline>